

HOUSE BILL 597

By Casada

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 1, relative to title transparency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-109, is amended by deleting the section in its entirety and by substituting instead the following:

63-1-109.

(a) Every person licensed or registered to practice one of the healing arts, or any branch thereof, as delineated in this section shall keep an original or copy of the person's license or certificate of registration displayed in the office or place in which the person practices, in a conspicuous place, and shall place and keep placed in a conspicuous place at the entrance of the person's office, a sign in intelligible lettering and not less than one inch (1") in height, containing the name of such person immediately followed by the recognized abbreviation indicating the professional degree, if any, held by such person, and containing immediately below the person's name, in equal size lettering, the word or words:

(1) "Chiropractor", "chiropractic physician" or "doctor of chiropractic" for practitioners of chiropractic;

(2) "Dentist", "doctor of dental surgery" or "doctor of dental medicine" for practitioners of dentistry;

(3) "Medical doctor", "physician", "medical doctor and surgeon", "medicine" or "surgeon", as applicable, for practitioners of medicine and surgery;

(4) "Optometrist", "doctor of optometry", "optometric physician" for practitioners of optometry;

(5) "Osteopathic physician", "osteopathic physician and surgeon", "doctor of osteopathic medicine", or "doctor of osteopathy" for practitioners of osteopathy;

(6) "Podiatrist", "podiatric physician", "doctor of podiatry", "doctor of podiatric medicine" or "doctor of podiatric medicine and surgery" for practitioners of podiatry;

(7) "Advanced practice nurse", "nurse practitioner", "nurse anesthetist", "nurse midwife" or "clinical nurse specialist", as applicable, for those practicing advanced practice nursing;

(8) "Physician assistant" or "orthopedic physician assistant", as applicable, for those licensed as a physician assistant;

(9) "Psychologist" or "doctor of psychology" for practitioners of psychology;

(10) "Acupuncturist" for practitioners of acupuncture; and

(11) "Certified professional midwife" for those practitioners of midwifery.

(b) Any recognized specialist in any branch of the healing arts, which special field is recognized or approved by the appropriate board licensing that profession, may substitute the specialist designation for the words indicated in subsection (a).

(c) A health care practitioner listed in subsection (a) shall also affirmatively communicate the practitioner's specific licensure, as defined in this section by one (1) of the following methods:

(1) The health care practitioner shall wear a photo identification name tag during all patient encounters that shall include a recent photograph of the licensee, the licensee's full name, and the type of license. The name tag shall be of sufficient size and be worn in a conspicuous manner so as to be visible and apparent; or

(2) After January 1, 2012, the health care practitioner shall communicate to a patient the practitioner's full name and type of license in writing at the patient's initial office visit.

(d) For purposes of subsection (c), the type of license shall enunciate one (1) or more of the words listed in subsection (a).

(e) A health care practitioner who practices in more than one (1) office shall be required to comply with the requirements in each practice setting.

(f) A health care practitioner who does not have an office setting can satisfy the requirements of this section by meeting the conditions set forth in subsection (c).

(g) Health care practitioners working in facilities licensed pursuant to title 68, chapter 11 are not subject to the requirements of this section.

(h) Health care practitioners working in no-patient care settings and who have no direct patient care interactions are not subject to the requirements of this section.

(i) Any health care practitioner who violates this section is guilty of unprofessional conduct and shall be subject to disciplinary action in accordance with the appropriate licensure provisions governing the respective health care practitioner. A violation of this section shall not create a private right of action by a patient.

(j) Notwithstanding the imposition of any penalty, a licensing board or the department may seek an injunction or other legal means as appropriate against a person or entity violating this section.

(k) A health care practitioner, who provides information regarding health care services on an Internet web site that is directly controlled or administered by the health care practitioner or the practitioner's agent, shall prominently display on the Internet web site the practitioner's full name and type of license using one (1) or more of the words listed in subsection (a).

SECTION 2. This act shall be effective January 1, 2012, the public welfare requiring it.